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FM AMEMBASSY KATHMANDU
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7914
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 6286
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 2191
RUEHCN/AMCONSUL CHENGDU PRIORITY 0413
RUEHCI/AMCONSUL KOLKATA PRIORITY 4002
RUEHGV/USMISSION GENEVA PRIORITY 1977

C O N F I D E N T I A L KATHMANDU 000123

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DEPT FOR PRM, SCA/INS, DRL, AND G; GENEVA FOR RMA

E.O. 12958: DECL: 01/29/2017

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SUBJECT: TIBETAN REFUGEES IN NEPAL: ANOTHER CASE OF NEAR

REFOULEMENT

Classified By: Ambassador Nancy J. Powell. Reasons 1.4 (b/d).

Summary

11. (SBU) Nineteen Tibetan refugees who were arrested by Nepali officials on January 15 and threatened with refolement are now at the Tibetan Refugee Reception Center in Kathmandu. United Nations High Commission for Refugees (UNHCR) officials agreed this was a serious near-abrogation of the gentleman's agreement regarding treatment of Tibetan refugees that has been the policy of the Government of Nepal.

Too Close A Call

12. (C) On January 17 staff at the Tibetan Refugee Reception Center (TRRC) informed Embassy officials that nineteen Tibetan refugees had been arrested near Namche (near Mount Everest) by Nepali officials. The refugees were threatened with refolement, but were eventually released near the Tibetan border and in close proximity to Chinese border officials. The group of nineteen managed to elude the Chinese officials and reunited with four refugees who had preceded the larger group. On January 27 UNHCR was informed that all twenty-three refugees had safely arrived at the TRRC in Kathmandu. UNHCR Associate Protection Officer Amit Sen visited five of the nineteen who had been arrested and the four who had eluded capture. Sen told Emboff that several of the individuals who had been arrested exhibited injuries consistent with having been beaten. This group also reported they were told by the Nepal Police they would be shot if they made a subsequent attempt to reach Kathmandu.

UNHCR Also Following-Up

13. (C) Refcoord, UNHCR's Deputy Representative Michele Manca di Nissa, and Sen agreed during a January 25 meeting that this was a very serious incident and one that required a response by the international community. Di Nissa thought UNHCR's approach would be firm, but this incident represented a problem of local implementation and not a change in policy on behalf of the Government of Nepal (GON). Di Nissa noted that new UNHCR Representative Daisy Dell had just been reassured the previous week during her initial courtesy call on the Home Minister that the 'gentleman's agreement' was still the GON's operating policy for handling Tibetan refugees. On January 28 Dell, however, confided to the Ambassador that Nepali officials admitted to facing increasing pressure on this issue. UNHCR has scheduled a

meeting with the Home Minister for later this week to protest the treatment of the refugees.

Comment

¶4. (SBU) While UNHCR is probably correct that this recent incident is the result of local officials straying from previous practice, it is none-the-less a very troubling incident and one that should not be ignored. Dell agreed the matter was serious, and post will maintain close contact with UNHCR on this issue to ensure proper follow-up and coordination with the GON.

POWELL